



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,630	03/30/2004	Lelia Cosimbescu	87000AEK	3465

7590

07/28/2006

Paul A. Leipold
Patent Legal Staff
Eastman Kodak Company
343 State Street
Rochester, NY 14650-2201

EXAMINER

GARRETT, DAWN L

ART UNIT	PAPER NUMBER
----------	--------------

1774

DATE MAILED: 07/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/812,630

Applicant(s)

COSIMBESCU ET AL.

Examiner

Dawn Garrett

Art Unit

1774

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16, 18-24, 26 and 28-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6, 8-12, 18-24, 26, 28, 30 and 31 is/are allowed.
- 6) ☒ Claim(s) 7, 13-16, 29 and 32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This Office action is responsive to the amendment mailed May 23, 2006. Claim 1 was amended. Claim 32 is indicated as “new” in the status identifier, but was presented in the last amendment. Claims 17, 25, and 27 were cancelled. Claims 1-16, 18-24, 26, and 28-32 are pending.

Claim Objections

2. Claim 1 is objected to because of the following informalities: Amended claim 1 contains two periods at the end of the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. The rejection of claims 1-6, 8-12, 18, 19, 22, 23, 25-28 30 and 31 under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al. (WO 2004/020372 A1) is withdrawn due to the amendment.

5. Claims 7, 13, 16, 29 and 32 are again rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al. (WO 2004/020372 A1). Suzuki et al. disclose organic electroluminescent devices comprising an anode, a cathode and one or more layers containing a compound between the electrodes (see claim 6). The at least one luminescent layer comprises a host fluorene compound and a compound according to formula [XV] wherein Ar₂₅ and Ar₂₆ may be a substituted or unsubstituted aromatic group or fused polycyclic aromatic group. The variable “t” in the formula may be 1 (see claim 13, pages 81-82). Suzuki et al. clearly discloses

Art Unit: 1774

compounds according to instant formula 1, disposed in a luminescent layer of an organic electroluminescent device (see abstract, claims 6 and 13).

Suzuki et al. teaches “The luminescent device with this structure is advantageous when the luminescent material used herein has a hole-transporting ability, an electron-transporting ability, and a luminescence property in itself or when plural compounds having the respective characteristics are used as mixed” (see page 32, lines 10-16). Also, Suzuki et al. teaches “compounds having different luminous wavelengths can be used. Therefore, a variety of luminescence hues can be achieved” (see page 34, lines 1-3). This teaching states the device may be formed to emit a desired color (with regard to claims 7, 29 and 32). It would have been obvious to one of ordinary skill in the art at the time of the invention to have used any of the materials taught by Suzuki et al. in combination in the luminescent layer, because Suzuki et al. clearly teaches a mixture of these materials may be used in combination. As luminescent material, Suzuki et al. teaches green emitting Coumarin6 per claims 7 and 32 (see page 38). With regard to an anthracene derivative host per claim 13, Suzuki et al. teaches an anthracene derivative as luminescent layer matrix material (see page 39, second compound of second row). With regard to claim 19, Suzuki et al. discloses quinacridone that may be used as luminescent material (see page 38).

6. Claims 14 and 15 are again rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al. (WO 2004/020372 A1) in view of Aziz et al. (US 2004/0018380). Suzuki et al. teaches luminescent layer materials such as an anthracene derivatives (see pages 37 and 39), but fails to teach specifically an anthracene derivative according to claims 14 and 15. Aziz et al. teaches anthracene derivatives according to claims 14 and 15 as material for a luminescent layer

Art Unit: 1774

(see par. 76, particularly formulas I(A)(1) (page 5) and I(A)(6) (page 6)). It would have been obvious to one of ordinary skill in the art at the time of the invention to have used an anthracene derivative selected from those taught by Aziz et al. for the Suzuki et al. device, because Suzuki et al. teaches such compounds suitable for a luminescent layer can be used in mixture in the luminescent layer.

7. The rejection of claims 20 and 21 under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al. (WO 2004/020372 A1) in view of Shi et al. (US 5,593,788) is withdrawn due to the amendment.

8. The rejection of claim 24 under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al. (WO 2004/020372 A1) in view of Chen et al. (US 6,770,385) is withdrawn due to the amendment.

Allowable Subject Matter

9. Claims 1-6, 8-12, 18-24, 26, 28, 30 and 31 are allowed. The prior art fails to teach or to render obvious an electroluminescent device comprising a layer with the specific three components in specific amounts as required by claim 1.

Response to Arguments

10. Applicant's arguments filed May 23, 2006 have been fully considered but they are not persuasive.

Applicant's remarks are drawn to claim 1 which requires three components in a light emitting layer in particular amounts. The rejections over claim 1 and claims depending from claim 1 have been withdrawn due to the amendment. The other independent claims remain

Art Unit: 1774

rejected for the reasons of record. No arguments were specifically made with regard to independent claims 7, 13, 16, 29 or 32.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dawn Garrett whose telephone number is (571) 272-1523. The examiner can normally be reached Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena Dye can be reached at (571) 272-3186. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1774

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Dawn Garrett
Primary Examiner
Art Unit 1774